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 Watson Laboratories, Inc.*

**UNITED STATES DISTRICT COURT  
 DISTRICT OF NEW JERSEY**

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	:	
AUXILIUM PHARMACEUTICALS, INC.	:	Honorable Jose L. Linares, U.S.D.J.
and FCB I LLC,	:	
	:	
Plaintiffs,	:	Civil Action No. 12 CV 3084 (JLL) (MAH)
	:	
v.	:	
	:	<b>ORDER TO SEAL MATERIALS</b>
	:	<b>PURSUANT TO LOCAL CIVIL RULE</b>
WATSON LABORATORIES, INC.,	:	<b>5.3</b>
	:	
Defendant.	:	
_____	<b>X</b>	

**THIS MATTER**, being opened to the Court by Winston & Strawn LLP, attorneys for Defendant Watson Laboratories, Inc. ("Watson"), by way of its motion to Seal Materials Pursuant to Local Civil Rule 5.3; and the Court having considered the submission, proposed sealed information, L. Civ. R. 5.3, and the governing case law; and the Court having considered the factors contained in L. Civ. R. 5.3(c)(2), the Court makes the following Findings of Fact and Conclusions of Law:

1. Through discovery in this case, the parties have produced confidential information, the public disclosure of which could affect their legitimate business interests. To

protect the confidentiality of information produced by way of discovery, the parties entered into a Discovery Confidentiality Order, entered in this case on November 29, 2012. (See Docket Entry No. 41.)

2. The Discovery Confidentiality Order allows the parties to designate information as “Confidential” or “Highly Confidential—Outside Counsel Eyes Only,” and provides that a party wishing to use these materials with these designations in a submission filed with the Court must move under Local Civil Rule 5.3 for leave to file the submission under seal. (*Id.*)

3. Watson has filed under seal, in accordance with the provisions of L. Civ. R. 5.3(c), the Consent Order filed on May 9, 2014 that is the subject of this Motion.

4. The Consent Order reveals confidential and proprietary information relating to Watson’s business strategies and decisions, which Watson has designated as “Highly Confidential—Outside Counsel Eyes Only” under the Discovery Confidentiality Order entered in this case on November 29, 2012.

5. Watson has complied with the terms of the Discovery Confidentiality Order by moving to seal these materials under L. Civ. R. 5.3(c).

6. The information contained in these materials satisfy the standards set forth in L. Civ. R. 5.3. The public release of this document, which includes confidential and proprietary business information of Watson, would greatly harm its competitive and business interests. There is no less restrictive alternative to sealing these materials.

**WHEREFORE**, the Court having found that the relief sought is warranted; and for good cause shown,

IT IS on this 11<sup>th</sup> day of June, 2014  
**ORDERED** as follows:

- A. Watson's Motion to Seal Materials Pursuant to Local Civil Rule 5.3 is hereby granted.
- B. The Consent Order filed on May 9, 2014 is hereby sealed.
- C. A copy of this Order shall be served upon all counsel of record within seven (7) days of the date hereof.

A handwritten signature in black ink, appearing to read "Michael A. Hammer", written over a horizontal line.

Honorable Michael A. Hammer, U.S.M.J.